

AB:DJL

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

JEFFREY FAUSTIN,

Defendant.

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COMPLAINT AND AFFIDAVIT  
IN SUPPORT OF  
APPLICATION FOR AN  
ARREST WARRANT

(18 U.S.C. § 922(g)(1))

18-MJ-539

EASTERN DISTRICT OF NEW YORK, SS:

TENITRIS MCINNIS, being duly sworn, deposes and states that she is a Special Agent with the Bureau of Alcohol, Tobacco and Firearms (“ATF”), duly appointed according to law and acting as such.

On or about August 17, 2017, within the Eastern District of New York, the defendant JEFFREY FAUSTIN having been convicted in a court of one or more crimes punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit, a .32 S&W long caliber revolver and ammunition.

(Title 18, United States Code, Section 922(g)(1))

The source of your deponent’s information and the grounds for her belief are as follows:<sup>1</sup>

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<sup>1</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I am a Special Agent with ATF and have been involved in the investigation of numerous cases involving firearms offenses. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of and conversations with other law enforcement officers involved in the investigation.

2. On or about the morning of August 17, 2017, the defendant JEFFREY FAUSTIN carried a large plastic bag to a trash compactor inside an apartment building in Brooklyn, New York. The defendant FAUSTIN placed the bag inside of the trash compactor and departed.

3. Soon thereafter, a witness ("W-1"), an individual whose identity is known to law enforcement, found a backpack in the trash compactor and looked inside. Inside one of the compartments of the backpack, W-1 found a silver revolver and silver bullets. Earlier that morning, W-1 inspected the trash compactor and it was empty.

4. Surveillance footage from the apartment buildings shows that, prior to W-1 returning to the trash compactor, the defendant JEFFREY FAUSTIN left the large plastic bag in the trash compactor. The only other individual to enter the trash compactor prior to W-1 was a woman with two small children, who discarded a small plastic grocery bag, too small to hold a backpack.

5. Officers from the New York City Police Department ("NYPD") were called to the apartment building. NYPD officers reviewed the apartment building's surveillance video which showed the defendant, JEFFREY FAUSTIN, leaving the large plastic bag in the trash compactor. The video footage also showed the defendant FAUSTIN

returning to the trash compactor after W-1 removed the bags and firearm and the defendant actively searching for the items.

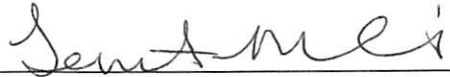
6. Shortly after reviewing the surveillance footage, but prior to leaving the apartment building, NYPD officers did see an individual matching the appearance of the individual in the surveillance video. That person was later identified as the defendant JEFFREY FAUSTIN. NYPD placed the defendant FAUSTIN under arrest.

7. The DNA profile recovered from the firearm matches that of the defendant JEFFREY FAUSTIN.

8. I have confirmed that the firearm recovered was manufactured outside the State of New York.

9. I have reviewed the defendant JEFFREY FAUSTIN's criminal history records and have determined that the defendant has been convicted of the following crime: on or about July 11, 2013, in Brooklyn, New York, the crime of Attempted Criminal Possession of a Weapon, in violation of New York Penal Law Section 265.03, a crime punishable by a term of imprisonment of more than one year.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant JEFFREY FAUSTIN so that he may be dealt with according to law.

  
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TENITRIS MCINNIS  
Special Agent  
Bureau of Alcohol, Tobacco and Firearms

Sworn to before me this  
13th day of June, 2018

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THE HONORABLE STEVEN L. TISCIONE  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK